

REPLY OF J. P. KENNEDY

TO THE

REVIEW OF HIS DISCOURSE

ON THE

LIFE AND CHARACTER OF CALVERT,

PUBLISHED IN THE

UNITED STATES CATHOLIC MAGAZINE, APRIL, 1846.

BALTIMORE:

PRINTED BY JOHN MURPHY, 178 MARKET STREET.

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I HAVE a dislike to all literary controversy; and something more than dislike when my antagonist is a professional critic. I know that towards such a personage an author does wisely to show no contumacy,—for, whatever may be the merits of the dispute, the critic is sure to have the last word, which is equally sure to be more bitter than the first. In his vocation, the sense of having done injustice is generally a motive to repeat the injury. It is not, therefore, to convert the reviewer of my “Discourse on the Life and Character of George Calvert” to a more favorable opinion of that production that I desire the use of your journal; but to correct some of his misrepresentations, to set myself right before your readers in regard to matters where he has set me particularly wrong, and to open to their view some points of history concerning which he seems to have studiously endeavored to keep them in the dark.

When I delivered the Discourse I was not aware that I was touching upon a subject which might not be handled as freely as any other question of history. Still less was I aware that I was about to bring the Maryland Historical Society under censure for their toleration of my production; and, least of all, that I was laying

that society under an obligation to make an *amende* to any one for the wrong they were about to do in publishing it.

In these particulars I find I have been mistaken. The elaborate review, with which I have been honored in the April number of your Magazine, is written in a tone of rebuke which I can only understand as an admonition against the rashness of having an opinion of my own upon the subject I had chosen: whilst both the review itself and your editorial notice of it convey a very intelligible hint of the misdoings of the Historical Society in publishing the Discourse, their responsibility for its “sentiments,” and their duty to make “some *amende*” to somebody for the offence of this “extraordinary performance.”

I have no design to vindicate the society for their part in this transgression. They will think of it, perhaps, when they come to print another address. Neither am I inclined to defend myself against the asperity of the reviewer upon the literary merit of my performance. Measured by the standard of his severe taste, I am willing to confess my inferiority. I have nothing to object to his want of amiability: it is a critic's privilege to show his spleen, and almost his nature to be per-

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sonally offensive. I can make all allowance for his indulgence of a reasonable amount of ill nature, and set it down to the constitutional or professional irritability of his class. But I have, in common with every other citizen of Maryland, and especially of every other native of the state, some concern with the manner in which he has thought proper to dispose of what relates to our early history and the right of investigating it.

The Historical Society was instituted chiefly for the purpose of collecting the materials which may serve to illustrate the history of Maryland. In the performance of this office, it is no part of its plan to suppress or distort any facts which it may be able to disclose. Its object is truth, not panegyric; and its labors are addressed to their appropriate subject, not without a presentiment that our annals must exhibit the usual variety of topics for condemnation as well as topics for applause. It is, nevertheless, encouraged to explore those annals from a belief that, in the most unrestricted freedom of inquiry, what shall be found good or what bad may be turned to the account of useful example or not less useful admonition; and especially is it encouraged to this inquiry from the clearest conviction that Maryland can very well afford to have her story disclosed exactly as the truth shall warrant, without abating any thing from her just pride in her ancestry; with increase rather of that feeling.

This would seem to be obvious enough if the reviewer had not called this license of inquiry into question. He manifestly supposes that a native of Maryland is guilty of something like impiety when he ventures to doubt even a theory of assumed merit in the founder. They who are born in Baltimore must, through the mere virtue of the name, take for true any fable that is supposed to enhance the merit of one of the Baltimore family. We of Maryland are specially bound on this score to uphold Henrietta Maria; Annapolis is pledged in like manner to the

fame of Anne; and the city of Frederick would be unnatural if it did not sustain the last lord proprietary against all the disparagements of history. This principle I take to be involved in the reviewer's allusion to my duty as a "native" of Baltimore. Now, when he holds me up to public observation in that character with a purpose to accuse me of "an ungracious office" in representing the first Lord Baltimore in any light which I might conceive truth to require; when he charges such an act to be "unfilial," and as manifesting a want of "love for my native state," he not only endeavors to denounce and proscribe me for the exercise of my right of judgment, but, what is much more exceptionable, he makes a direct assault upon that privilege which alone sustains the integrity of history. We can only infer from it that, in reference to our native land, he deems the historian bound to silence when he can not praise, or to misrepresentation when facts do not concur to support the reviewer's preconceptions of the merit of the subject. If this be an honest canon of criticism, all truthful history must be handed over to foreigners; the native American is foreclosed.

I submit to no such domination. If our history be unworthy of praise, let it abide the censure of the world. If our predecessors be not entitled to the applause of posterity, let posterity vindicate their own preëminence by their preference of truth over that mean glory which has no basis but falsehood. I utterly repudiate that school which first makes history sentimental in order that it may make it fulsome, and, therefore, false. This I say by way of comment on the *morality* of the reviewer's reference to my duty as a native of the state; whilst, at the same time, I deny that I have, in any respect, derogated from the just fame or proper merit of Lord Baltimore.

I have other objections to the general character and assumptions of the review. It is written in a sectarian spirit, wanting

essentially in liberality and candor. Its temper is polemic. It aims to convert a point of history into a question affecting the honor of the church, and in that pursuit it lapses into intolerance. It displays an eager exasperation against the author of the Discourse for no better reason than for differing from the reviewer upon an historical fact, and, giving that fact a religious hue, it will not extend to the opponent the courtesy of considering his difference of opinion honest. I am, consequently, charged with "professional adroitness to make the worse appear the better cause," with "torturing good and honorable motives into bad," with "using the privilege of a novelist to make the coinage of my own fancy pass for truth," and other such like periphrases which have become the prescriptive language of irritated cant ever since criticism fell into the hands of gentlemen who could not keep their temper.

I hope I need not say to those of calmer nature than the critic, that I had no idea of making a church quarrel out of my Discourse; that I had no purpose to offend any man's religious predilections, nor to stir up the embers of that immemorial feud between two great churches, which unfortunately finds fuel enough without supply from me. I have great respect for the combatants on both sides of that battle ground when they are in the due pursuit of Christian duty; but when they come to cross words, I desire to be considered a neutral in the field. I take no sides. Not even the vituperation of the review can make me a partisan. I wrote the history of Calvert according to the best view I could get of the facts, without the slightest imaginable prejudice or inclination in regard to his religion. I should have slept as sound and been altogether as happy if my researches had proved him to be whatever the favorite theory of the reviewer might demand, as to be any thing else in all the categories of historical character. Indeed, for the sake of peace and the avoiding of wrath, as it has turned

out, I should have preferred to find him exactly what the critic is determined he shall be.

But to be taken to task, as I have been, because I could not falsify my own convictions of the fact, and *in the manner* especially of the review, I hold that to be an invasion of my right. It argues pretensions which no intelligent citizen of Maryland, whether he be Catholic or Protestant, will, at this day, endure. They do not belong to the nineteenth century, nor to enlightened Christendom. I protest against them as hurtful to the cause of religion in whatsoever creed, and as offensive to the intellectual freedom of the age.

I have another charge to make against the reviewer. He has totally misrepresented, I should more properly say concealed, the light in which the Discourse has exhibited Calvert. With abundant industry to collate passages from the Discourse, for the purpose of wresting from them unfavorable deductions as to my view of the conduct of the founder of Maryland, he has not, in a single instance, quoted an expression of mine where my object was to commend the character of the subject. So far from giving me credit for the general as well as discriminate praise by which I have endeavored to exalt the fame of Lord Baltimore, he has taken some pains, in a brief reference to that point, to dismiss it with a sneer, that, although "worthy of the author's best days," it "almost tempts us to suspect it was composed for some other occasion."

A candid critic would have at least endeavored to present an outline of my estimate of the character, motives, and conduct of the subject of my Discourse: he would have occasionally allowed me to speak for myself, by using my own language: he would have stated my points, and shown something of my reasoning upon the facts I had adduced; and, above all, he would not have withheld an accurate representation of my side of the question where it differed from his own view of it.

I look in vain for such evidences of fairness in the review. A reader of that paper would suppose I had maliciously taken up my pen with no other purpose than to traduce the memory of Calvert, and that, in the face of the most *unquestionable* history, I had labored to exhibit him as "a selfish and despotic statesman," "a sycophant or knave in politics," "an interested speculator in charters," and "a temporizing hypocrite in religion."

Whether I have succeeded in this charitable office or not, can only be determined by the perusal of my Discourse itself, to which, rather than overload this communication with extracts from it, I must beg leave to refer your readers. And, in the meantime, I affirm that this picture of my Discourse is but the discoloration of an excited and somewhat distempered zeal, as, I think, every dispassionate man will say after he has read what I have written.

Before I come to the discussion of the principal topics which the reviewer has selected for the grounds of his attack upon my fidelity of representation, it is proper that I should exhibit an outline of what I hold to be the best ascertained facts in the life of Calvert. We may form our opinions of his character afterwards.

Calvert, at about twenty-five years of age, came into public service as the private secretary of Sir Robert Cecil,* a minister of state to James I. After the death of the minister he was made a clerk of the crown to the privy council, and, at the same time, received the honor of knighthood. In 1619 he was appointed one of the secretaries of state, the other being Sir Robert Naunton. In the next year he was elected to the house of commons from Yorkshire; served that constituency during one parliament, and, being defeated for the next, in Yorkshire, was returned from Oxford. He continued

to be secretary of state until near the end of the reign of James, when, in 1625, he resigned; was continued as a member of the privy council, and created baron of Baltimore. In 1609—and how long previous to that period we do not know—he was a member of the Virginia company of planters; was still a member of it in 1620, and, on the 15th of July, 1624, was one of the provisional council in England erected for the temporary government of that province. In 1621, and, perhaps, before that date, he became interested in a plantation in Newfoundland; in that year (1621) sent out a colony there at his own expense, and continued for some years afterwards to lay out considerable sums of money upon it. After his resignation, he visited Newfoundland in person for the first time, and, previous to the year 1630, resided on the island with his family some two or three years. Not finding the climate and position of Newfoundland favorable to his scheme of plantation, he repaired to Virginia, in 1628, with a view to make a settlement there, but being uncourteously received by the authorities of the province, he continued his quest of a settlement into Maryland; returned to England, and finally, in 1632, obtained his charter for this province from Charles I, but died a few weeks before the royal seal was put to it.

This, I believe, is an outline of facts upon which all historians are agreed. I have said nothing in this sketch about his opinions, either political or religious, because they constitute the questions upon which the reviewer has come into conflict with the Discourse. In regard to these, I have endeavored to show that his political opinions were on the court side, and against what was called the country party: that he was the advocate of Prerogative, as known in the days of King James, against the Privilege of that period. Upon what grounds I have made this statement, I may show hereafter. His religious opinions I have endeavored also to trace through his history, and to show that, ac-

* I take this occasion to correct an error which will be found in the Discourse, and which has escaped the observation of the critic. I have described Sir Robert Cecil as "lord treasurer, afterwards earl of Salisbury." He was first created earl of Salisbury, and afterwards lord treasurer.

cording to the better judgment, he was, most probably from an early period of his life, a Roman Catholic. That, living at a time of very severe proscription of that religion, he followed the example of many eminent and excellent persons in giving as little publicity to his religious tenets as possible in the position he occupied. That he was favored in this design by the friendship of the king, by whom he was affectionately regarded as an able and upright servant. Speaking of him, in reference to this view of his career, I have said: "I much rather incline to the belief, without in any degree derogating from his integrity, that he was one of those who did not choose to make any very public exhibition of his faith, preferring the peace and security of private worship to the hazard and contention which a too open manifestation of it might bring. That being a man of moderate opinions, tolerant and unassuming, a sensible and discreet man, enjoying the confidence, and diligently employed in the service of the king, he thought it the part of prudence to keep his religion as much as possible confined to the privacy of his own chamber."

What warrant I may have for this view of his character I shall exhibit hereafter somewhat at large. Now, taking Calvert in the light which the facts I have referred to, and the opinions I have assigned to him afford, I have represented him to be, in the first place, a zealous and devoted friend to the general schemes of colonization in America, which constituted, to a certain extent, the passion of that age: that he indulged this taste "with great assiduity, personal devotion, and at heavy pecuniary charge;" that, in doing so, "his purpose was, in part, the advancement of his own reputation, the increase of the wealth of his family, and a laudable and pious zeal for extending the Christian religion and the territories of the British empire."

I have, in the next place, exhibited him in the light of an adroit, skilful statesman, "characterized not less by the politic

management than by the vigor with which he prosecuted his designs," a man "of courage, energy, and skill in the management of men." "The posts which he filled," says the Discourse, "his position and conduct in parliament, the favor and esteem he seems always to have inspired, demonstrate his ability, as well as his prudence, and give us reason to infer an amiable, well bred and affable disposition: the character of the government he established in Maryland, and the just sentiments with which he seems to have inspired his son, and the lavish expenditure which he, doubtless, both authorized and provided before his death, attest his liberal views of the rights of conscience, his generosity, and his zeal in the cause of colonization."

In the third place, I have exhibited him, in the character of a founder of a state, who, although decidedly inclined to support the high doctrines of Prerogative and enlisted rather against the popular party, and, although armed with very strong powers of government, was yet a man of such respect for justice, so moderate, wise, and upright in the administration of power, as to provide a system of administration eminently adapted to the protection of the civil and religious rights of the people over whom his authority was to be exercised. I have said that the charter was "planned by Lord Baltimore, and carried into execution by him and his sons, in a spirit of the broadest and most liberal toleration;" and I have referred to facts, which I have narrated in the Discourse, to show "how justly the father conceived the plan of a benignant government, and how faithfully the son carried it into execution."

And, lastly, that I might not fail in rendering the highest honor to the Catholic settlers of Maryland, for the first example in the world of a state founded upon the principles of true religious toleration, and that I might express my full appreciation of the glory to which they were entitled, I have said—what the reviewer seems very strangely to find fault with—

that the "glory of Maryland toleration is in the charter, and not in the act of 1649;" which act was, in truth, that of, what is supposed to be, the first Protestant legislature aided by the first Protestant governor, and which neither originated nor established the toleration of Maryland, nor even protected the people from a very harsh intolerance that immediately followed it. In paying this tribute of applause to the Catholic founders, I have almost repeated that sentiment which the reviewer—in a vain attempt to show that my opinions "have undergone a remarkable change within the last eight years"—has extracted from Rob of the Bowl. Commenting, in the Discourse, on this "wisely planned and honestly executed scheme of society,"* I have used this language:

"Where have we such a spectacle in that age? All the world was intolerant of religious opinion but this little band of adventurers, who, under the guidance of young Leonard Calvert, committed their fortunes to the Ark and the Dove, and entered Maryland between St. Michael and St. Joseph, (St. Gregory I ought to have said,) as they denominated the two headlands of the Potomac, the portals to that little wilderness which was to become the home of their posterity. All the world outside of these portals was intolerant, proscriptive, vengeful against the children of a dissenting faith. Here only, in Maryland, throughout the wide world of Christendom, was there an altar erected and truly dedicated to the freedom of Christian worship. Let those who first reared it enjoy the renown to which it has entitled them."

* These words the reviewer has quoted from Rob of the Bowl, to convict me of contradicting them in the Discourse. Whatever were the powers conveyed to the proprietary by the *charter*, undoubtedly the whole practical scheme of the settlement, as manifested in the conduct of the settlers, was benignant; their polity was wisely planned and honestly executed. It is a little singular that the critic, who charges me with using, in my historical narrative, the privilege of a novelist, should refer to my romance to impugn my history.

One would suppose that a limner who drew such pictures of a personage of history and of his friends, might escape the charge of any very flagrant detraction; that, at least, it might be supposed there was no design to portray the principal figure as a sycophant, a knave, or a hypocrite.

There was one point, however, in the history of Calvert, as it has been sometimes, and especially of late years, represented, upon which I ventured to suggest a doubt; upon which, indeed, I gathered such evidence as I thought justified me in denying it altogether. This was the story of the conversion of Lord Baltimore, in the year 1624-5, from the Protestant to the Catholic faith. This doubt, and the arguments I have brought to sustain it, seem to have particularly stirred up the reviewer's spleen against the Discourse: they furnish the key to the secret of his acrimony. It is not difficult to perceive, notwithstanding the pains he has taken to controvert the Discourse in all its parts and topics, that upon this single question of the conversion, he has put the determination of the chief merit or demerit of Calvert. The reviewer's belief in the conversion at the period assigned to it, obviously settles his estimate of whatever there is praiseworthy in the character of the subject of the Discourse. The conversion once disproved—rejected from the history of Calvert, the critic can only regard him as unworthy of respect. My want of faith in this story, the most casual reader of the review will see, leads the writer of that paper to the conclusion that I have represented Calvert as no better than a hypocrite and a sycophant. Upon this foundation I am accused of desecrating all history, writing "in opposition to the records," coolly demolishing "the character of Lord Baltimore," putting "forward my own conceits in opposition to all historians who have treated of the subject," and, finally, discrediting a fact "*which has been unquestioned for two centuries.*"

It becomes my duty, under this charge

of falsifying what was so well established, to examine the evidence somewhat minutely. When I have done so, the reader will be able to judge both of the ingenuousness of the critic, and of the propriety and point of his indignation.

As a preliminary, then, I wish it to be noted that my allegation is—that Calvert did not become a *convert* to the Catholic faith in 1624-5; that he was known to be a Catholic in 1621; that he was even known to be a Catholic before this last date; and, in fact, that we have no authentic account of any period of his life when it was known that he was not a Catholic; or, to use the phrase of the Discourse, “if he ever was a Protestant, there is no record of it within our knowledge.”

Now, if this be true, it will follow, first, that Calvert did not resign his office of secretary of state for the reason assigned by Fuller; second, that he had no scruples, arising out of his religion, to prevent him from serving as secretary of state; third, that he was a member of parliament, a representative from Yorkshire first, and then from Oxford, notwithstanding his religious opinions; and lastly, that he maintained himself in the confidence of the king, and in the service of the state, exactly as I have represented him, amidst the difficulties of that perilous time, by his address, by his moderation, or by the respect he had won through the faithful discharge of his trust.

The reviewer thinks he could not have been a Catholic whilst he held these employments and attracted this confidence, without being a dissembler and a hypocrite. I can, by no means, agree to this conclusion. His hypocrisy can only be measured by the extent of his professions. I prefer to conclude that he did not profess much. The critic makes rather a dangerous issue for Calvert's fame, and is no friend of his when he places him in this dilemma. That, however, I leave to himself: my province is to give my authority for what I have said. It may

turn out, in the end, that, so far from traducing Lord Baltimore, I have entertained a better opinion of him than the reviewer.

And now to inquire into the fact. I assert that the *only* authority for the conversion is Fuller; that all writers who have spoken of it have taken it from him. If there be a biographer or historian who mentions the conversion upon any other authority than that of the short sketch contained in the “*Worthies of England*,” let the reviewer name him and produce his proof. I know of none.

Fuller's notice of Calvert is brief, scarcely filling one page: it is inaccurate and defective in known particulars. It is written apparently upon mere report, and makes no reference to any other writer. His narrative, so far as the conversion is concerned, is literally quoted in the Discourse. These are his words: “This place” (the secretary of state) “he discharged above five years, until he willingly resigned the same, 1624, on this occasion.—He freely confessed himself to the king, that he was then become a Roman Catholic, so that he must either be wanting in his trust, or violate his conscience in discharging his office. This his ingenuity so highly affected King James that he continued him privy counsellor all his reign, (as appeareth in the council book,) and soon after created him Lord Baltimore of Baltimore in Ireland.”

This is every word that Fuller has said upon the subject.

It is admitted that Calvert was appointed secretary of state February 15, 1619, according to our calendar. It is also admitted that he was created Lord Baltimore February 16, 1625, six years after his former appointment. He resigned a short time before this latter date, according to Fuller, *because* he had then become a Catholic.

I have asked, in my Discourse, why should he resign for this reason? I ask it again. Was there any incompatibility in such an employment with the profession of the Catholic religion? Is there

any intelligent Catholic who is willing to acknowledge that his religion disqualified a British subject from faithfully serving his king and country in such a post as that of the secretary of state? I am convinced no Catholic will so libel his own faith as to answer this question in the affirmative. The secretary of state was, in effect, but the private, confidential secretary of the king. His duties had no connection with any article of faith, and there was intrinsically no more reason why Calvert should abandon his trust on such an occasion, than he should abandon any other post of duty under the government. To maintain that because he was a Catholic he could not faithfully discharge the duties of such an office, would be to furnish some justification for that proscription of the Catholics which all right-minded men now consider to have been a foul and unjustifiable persecution. Why should Calvert resign? One would suppose, looking to the history of James' reign at that date, that Calvert, so far from finding a motive to resign, would have seen the strongest reason, as a Catholic, to remain at his post. The negotiations for the Spanish match, which were intimately associated with a hope of procuring a relaxation of the penal laws against the Catholics, had just failed. Calvert had been an active and zealous friend of that match, and of course had labored in the cause of his Catholic fellow subjects to secure, if possible, their welfare. The marriage of the prince of Wales to a Catholic princess of France—Henrietta Maria—was at this time in a progress of busy consultation and arrangement. Like the Spanish project, it also fostered the hope of relief to the Catholics of England. This question of relief was in constant discussion. The king was well inclined to it, but was opposed by several of his counsellors. Was this a time for Calvert to resign, because he had become a Catholic? Certainly not. It was the very time when, if he had the option to remain, it was his most consci-

entious duty to hold fast to his post. The most probable view of his case—that most consistent with the history of the period—is that he was *compelled* to resign, not by the king, but by the party of the duke of Buckingham. It is known that parliament had just before this period complained to the king of the number of Catholics in public employment, and had called upon him to dismiss them. Calvert saw that he could no longer remain in office; that an inquiry was about to be made which would have constrained him to avow himself to be—what those who were conversant with him in private had previously known him to be—a Roman Catholic. His moderation, his reserve, his faithful attention to business, and his keeping himself, as one of his biographers has said, “disengaged from all interests,” would no longer avail him. The question as to his religion was about to be so directly put as to leave him no alternative between a frank avowal of the truth and utter disgrace, through a base apostasy. His escape from this predicament was the open declaration of his faith, and his immediate resignation. This would seem to be the foundation of Fuller's story, and all that is really true in it. What follows in Fuller's account is mere gossip, and is calculated to bring into discredit all that he has said. He relates that the king was so pleased with this “his ingenuity” (ingenuousness), that for that reason he retained him in the privy council, and made him Lord Baltimore. If Calvert's conscience would not allow him to hold the post of secretary of state, how did it serve him as a member of the privy council? The two offices, in the nature of their duties, are identical. A secretary of state and a member of the king's council were equally confidential advisers and actors with the king in his most delicate state affairs: there is no conceivable obligation, arising out of religious opinion, which is not as applicable to one as to the other. No new oath was to be taken in either case; and if the implied incompatibility of the oath

taken by Calvert some years before, with the relations which are supposed to have been created by his conversion, made it a point of honor, as the reviewer insinuates, for Calvert to resign the secretaryship, the same fact existed to compel him to resign his membership in the privy council.

And then we are asked, also, to believe that, for "this his ingenuity," the king created him a baron! Need I show, from the character and conduct of James, that the last act of grace that could possibly be imputed to *him* would be the public rewarding of one of his own household, for the frank confession of a conversion from the Protestant to the Catholic faith? Nothing is more notorious in history than the absurd vanity of James to be accounted a great theologian. He resented no offence with so much sensibility as the contumacy of those who, in defiance of his discourses and teachings, slid off from that faith of which he considered himself, peculiarly and eminently, *The Defender*. When the delinquent, in this wise, was one of his own household, an intimate who lived within the sound of the royal voice, the displeasure was proportioned to the additional depravity which could disdain such signal advantages. This is the foundation of that hostility against all *converts* to the Catholic church, to which I have referred in my Discourse, and of which I have there given some proofs. Tillieres, the French ambassador at the court of James, in his report to his own government, dated 5th June, 1622, alluding to this sensibility in the king, speaks thus:

"I have written to you in my last letter that the countess of Buckingham was become a Catholic. When the king, and the marquess her son, learned this, they conceived the highest dissatisfaction; the former as an enemy of our religion, and because *it seemed to him a great discredit that a lady of his court, the mother of his favorite, with whom he himself* (and he holds himself for a doctor in theology) *had so often and so particularly*

spoken, should abandon her faith: Buckingham, because he knows *that if any thing upon earth could undermine his favor, or give it a shock*, this very accident is of that description."^{*}

Now, this is the king who, we are to believe, *rewarded* Calvert, by promoting him to the peerage, because, in contempt of the royal logic, and under the preacher's very eye, he abandoned his ancient faith, and freely confessed it to the king himself!

The resignation of Calvert, I have no doubt, was compulsory, forced upon him by the temper of parliament and the course taken by the adherents of the duke of Buckingham, who was no friend to Calvert. The grant of the peerage and his continuance in the privy council, I regard as the emollients with which James assayed to soothe Calvert's pride, and to express to him the royal appreciation of his faithful and devoted service. The secretary, in truth, had not the position or influence at court to enable him to resist the pressure of a party which was even strong enough to intimidate the king. Tillieres says of Calvert: "He is an honorable, sensible, well-minded man, courteous towards strangers, full of respect towards ambassadors, zealously intent upon the welfare of England; but, by reason of all these good qualities, *entirely without consideration or influence.*"[†]

I have stated my objections, thus particularly, to Fuller's account of the conversion of Calvert, not only because the reviewer lays great stress upon it as the "positive testimony of a veracious witness," who speaks of facts "which occurred in his own time," but because, also, as I have already said, it is the only explicit testimony upon which the conversion rests, and constitutes, therefore, the only foundation for what is called in the review the *unquestioned* history of two centuries.

^{*} Von Raumur's Hist. Sixteenth and Seventeenth Centuries, vol. ii, p. 271.

[†] Von Raumur, vol. ii, 263.

It is true there is an attempt made by the reviewer to help out this incongruous story of Fuller's by a few desperate tugs at some other accessible facts which, very obviously, are not sufficiently elastic for his purpose. All his straining will not bring them even within gun-shot of his mark. Indeed, in this matter, I have to charge the reviewer with something of an old soldier's tactics,—concerning the fairness of which I have no comment to make. The reviewer may think that criticism approaches so nearly to a state of war as to legalize an occasional resort to stratagem to make up for deficiency of force.

Fuller being the only direct witness, it was a matter of some concern to invest his narrative with as much authority as possible, and so to state it as to give it the credit due to one who knew all about the fact. The critic, therefore, speaks of him as almost entitled to be regarded as an eye-witness of Calvert's life. "He is an author," says the review, "of great respectability, and was, withal, so decidedly opposed to the Catholic religion, that he would not have mentioned so remarkable an occurrence had there been the *least doubt* of it; nor would he have omitted to state Calvert's hypocrisy or dissimulation had he been a concealed Catholic. Mr. K. admits that Fuller was his contemporary; *he had, then, the best means of ascertaining the truth of what he asserts in his history.*"

The point of this paragraph is the attempt to give Fuller's testimony the importance and weight of that of a person who could not be mistaken; and my admission that he was a contemporary of Calvert is used to aid its effect. The critic ought, therefore, to have stated my admission truly. My words were these: "The author of the *Worthies of England* was his contemporary, *though thirty years his junior, and it is of some moment to my argument to remark, was obviously not personally acquainted with him.*" It would have conduced to the candor, though not

to the strength of the critic's case, if he had stated this admission with the qualification I gave to it—a qualification made expressly to show that he had *not* "the best means of ascertaining the truth of what he asserts."

Fuller is an amusing, witty, and industrious writer, who is not generally deemed of the highest authority. His book is written in a gossiping style, bearing many evidences of carelessness and haste, and is altogether too light in its character to be relied on for accurate history. How far his sketch of Calvert will justify the assertion of the reviewer, that "he would not have mentioned so remarkable an occurrence had there been the *least doubt of it,*" will appear presently.

The most careful biographer of that period—perhaps the only one to be trusted—is Anthony Wood. The *Athenæ Oxonienses* are written with abundant labor, and with a large amount of critical research. Wood, moreover, is somewhat noted for his endeavor towards impartiality in speaking of the Catholics—a fact which the zealots of his time were disposed to use to his disadvantage. I might say, therefore, adopting the same kind of argument as that employed by the reviewer, that if "so remarkable an occurrence" as that of the conversion and its consequences had been true, much more if there had not been "the least doubt of it," Wood would not have failed to mention it,—particularly as he had Fuller's work at hand to lead him to investigate the fact. Yet Wood speaks of Calvert precisely as we might suppose a cautious biographer would speak of one whose religion had been rather concealed from public notice, and thereby laid under suspicion, or regarded with doubt, during such a period as that embraced in the life of this statesman. He does not say Calvert was known to be a Catholic, nor does he affirm the reverse. His statement is, that on the 16th of February, 1624, (1625 N. S.) he was created baron of Baltimore, "being then a Roman Catholic, or, at

least, very much addicted to their religion."

What do we gather from this as Wood's opinion of Fuller's story of the frank confession, the "ingenuity," and the great gratification of the king who rewarded so much honesty in so signal a manner? Very clearly, that he did not believe a word of it. All that he felt himself justified in affirming was that Calvert was then a Roman Catholic, or at least favorably inclined to that religion.—This is what the reviewer regards as corroborating the statement of Fuller!

But he has found another authentication of Fuller's story, strangely enough, in the letter of Archbishop Abbot to Sir Thomas Roe, which is introduced in a note to the discourse. A perusal of that letter, if it does not help the reviewer, will, at least, inform us what one of the most familiar of Calvert's contemporaries thought of his (Calvert's) religion, and how doubtful he considered it; it will show, also, what grounds Wood had for speaking with such uncertainty on the same point. Abbot shared with Calvert the intimacy of the king; had often sat in council with him; knew him, perhaps, as well as one courtier could know another. His letter, from the incident to which it refers, we may conclude was written in 1625. "Mr. Secretary Calvert hath never looked merrily since the prince's coming out of Spain: it was thought he was much interested in the Spanish affairs. A course was taken to rid him of all employments and negotiations. This made him discontented, and, as the saying is, 'Desperatio facit monachum,' so he apparently did turn papist, which he now professeth, *this being the third time he hath been to blame that way*. His majesty, to dismiss him, suffered him to resign his secretary's place to Sir Albertus Morton, who paid him £3,000 for the same, and the king hath made him baron of Baltimore in Ireland. So he is withdrawn from us, and having bought a ship of four hun-

dred tons, he is going to New England, or Newfoundland, where he hath a colony."

This letter presents a portrait, which can not be mistaken, of a secretary surrounded by enemies who are envious of his favor with the king, and who feed their grudge against him by assailing him on the score of his religion. It shows him privately attached to a proscribed faith, which he was conscious might, at any moment, bring him into peril, and which, though not wholly concealed, was not publicly avowed until the avowal was compelled by the increasing intolerance of the times. It also indicates the sympathy and respect of the king and his desire to mitigate the severity of that party hostility which he could not entirely avert.

It argues a stout heart in the critic to challenge this letter as a confirmation of Fuller. Fuller tells us that Calvert, having become a Roman Catholic, resigned his post as incompatible with that profession. The archbishop says: a course was taken to rid him of all employments, and in order to dismiss him the king allowed him to sell out his commission, and, thereupon, he apparently again became a Catholic. But what does the reviewer say to—"this is the *third time* he hath been to blame in that way?" In what way? We have here his answer made with a most perplexed gravity. "This is a sneering innuendo to which converts are accustomed, but very different from *saying this is the third time he had become a Catholic*." Certainly; the difference is very clear; it is as broad as a church door! But, says the reviewer, this does not prove that Calvert was a Catholic in 1619. Well, I confess I can not say that it does. I surrender that point, and leave the reviewer to enjoy the vantage ground it gives him.

Let us look at his next essay to fortify "the unquestioned history of two centuries."

This he rests upon a fact furnished in a note to the Discourse relating to the estate in Longford.

By patent, February 18, 1621, the king conferred upon Calvert somewhat over two thousand acres of land in the county of Longford in Ireland, regarding him, as my authority says, "as a person worthy of his royal bounty, and one that would plant and build the same according to his late instructions for the better furtherance and strengthening of said plantation." This patent Calvert surrendered to the king, February 12, 1625, four days before he was created Lord Baltimore, and had a regrant thereof in fee simple, dated March 11, in the same year.

The reviewer has favored us with a scrap of history touching this grant. There were nearly six entire counties in Ulster confiscated to the crown upon the pretext of Tyrone's rebellion. These lands were granted anew to favorites, upon certain conditions of plantation, the principal scope of which was to secure as many English and Scotch settlers as possible, and to exclude all tenants who would not take the oaths of allegiance and supremacy.

This confiscation was a mere act of rapine and violence. It was dictated by religious hatred, and its object was to strip or spoil the Catholic landlords and tenants of that region.

Some years afterwards a still more wicked, because an entirely unprovoked act of aggression, was perpetrated upon the Catholic proprietors of Longford and some other counties. There was no rebellion on this occasion, either pretended or real, on foot to afford an excuse or apparent justification for this last outrage; but upon the flimsiest of all pretensions—an alleged defect in the titles of those in possession—the king granted out those lands also to his friends. Whether the conditions of plantation in Longford were the same as those published some years before in reference to Ulster, I am unable positively to say, although the reviewer asserts they were. I have reason to suppose they were not. This, however, is not material. Now the argument is that Calvert, if he had been a Catholic in 1621,

could not have accepted such a grant, and, moreover, that he surrendered the lands in February, 1625, because he was then become a Catholic, and could not conscientiously hold them on the conditions required. But, then, here is another fact, that, although he surrendered the grant in February, it was to *take an absolute gift of the same lands in fee*, which he did on the 11th of March following. The reviewer's reasoning on this point is worthy of remark. "His claims," he says, "upon the monarch's gratitude were greater than when he had first received the grant, and it would have been an act of meanness in the king to permit his faithful minister to lose the benefit of his former bounty, which, probably, had thus far been a cause of expenditure rather than a source of profit. His surrender placed it again in the hands of the king, because he could not hold it by its former conditions; *but there was no impediment to his receiving an unconditional title in fee simple.*"

This is a choice exhibition of the reviewer's notions of a man of delicate religious scruples. Calvert's conscience would not allow him to retain a grant which bound him to no severer condition than that of conforming to the wish of his patron, the donor, by selecting his under tenants from English or Scotch settlers who could take the oaths of supremacy and allegiance; but he could find conscience enough to take to himself in fee simple and in absolute right, for his own enjoyment, land which had been plundered by acts of unparalleled fraud and rapine from the persecuted, hunted and despoiled brethren of his own faith! The wickedness of this scheme of plantation was not in the selection of persons who could be induced to resettle the land, but in the iniquitous spoliation of those from whom it was taken. If, therefore, Calvert had any religious scruple on the subject, it would have shown itself in refusing to be made an accessory, an aider and abettor of the vile scheme of plunder by which the original proprietors were dispossessed. He

would neither have stained his hand nor tainted his soul by any fellowship in the outrage. He would have left that miserable part to some meaner nature who was capable of being lured by the profits of such a compliance.

Calvert's participation in it, therefore, rather leads me to adopt the opinion which many unprejudiced English and Irish writers both have given us; namely, that the Irish plantations, during the reign of James, were not all conceived or executed in such a spirit of unmitigated injustice as a cursory review of the fact might lead us to suppose: that there were favorable exceptions to this character, and that, mixed up with much evil and oppression, they were not unfrequently conducted with evident good policy. James could make what relaxations he pleased in these regulations of settlement; and we may well suppose he would not be disinclined to exercise this prerogative in such a manner as might suit the wishes of a favorite servant, by so adjusting the terms of the grant as to render it acceptable to the object of his bounty, and enable him to receive it without violating his sense of right. The surrender in 1625 was obviously a mere preliminary to that greater exhibition of the royal favor which, in elevating Calvert to the peerage, designed also to confer upon him something more than an empty title, and which accordingly invested him with the absolute grant of a baronial estate. Calvert was created Lord Baltimore on the 16th of Feb., 1625. In less than a month afterward his estates in Ireland were enlarged under the new grants of the manor of Baltimore and that of Ulford. These grants were perfected on the 11th of March, just a fortnight before the death of the king. They may be regarded almost in the light of a bequest from the monarch to a trusty but somewhat proscribed servant.

The reviewer makes still one more attempt to sustain the narrative of Fuller. This I believe is his last struggle in that enterprise. He thus presents his argument:

"Additional evidence that Calvert was not a Catholic in 1620 is found in the period of his parliamentary career. He was elected a member of the house of commons in 1620. At that period even, if, as a Catholic, he had been eligible to a seat in the house of commons, it is not to be imagined that an Oxford or a York constituency would have elected a member of that persuasion as their representative, or that in the then state of popular excitement they would have chosen a member who was suspected of being 'popishly affected.' Now his parliamentary services terminated in 1624, the time of his conversion, as stated, and thus this fact may be invoked, as well as the testimony of Wood and Abbot, to confirm the veracity of Fuller."

We have no means of knowing what were the sentiments or the spirit of compliance of those whom the reviewer calls an Oxford or a York constituency at that day; but we may make a great mistake if we suppose that constituencies, in our modern notion of them, had much to do, in the time of James, with popular sentiment of any kind. Occasionally there was some little outbreak of popular opinion which might be turned to the account of free election,—and I shall presently produce an instance of it,—but the returns to parliament were much more generally obtained by court favor. The doubt expressed by the reviewer, as to the *eligibility* of a Catholic, is answered by the well known fact that there were several Catholics in the very parliament of which Calvert was a member: *concealed Catholics*, according to the phrase of that period, but not the less on that account, perhaps, sincere in their faith. We have the best reason to believe that Calvert was one of them.

The people of England had not much acquaintance with parliament in those days, and, we may suppose, took no great interest in elections. The second parliament in the reign of James was summoned on the 5th of April, 1614, and was dis-

solved on the 9th of June in the same year, without having passed a single act.

The next parliament was that of which Calvert was a member from Yorkshire. It met on the 30th of January, 1621, after an interval of nearly seven years. In what manner this parliament was got up may be seen in the lord chancellor's (Bacon's) letter to Buckingham, describing the means that had been adopted by the king and his ministers to render the meeting safe and profitable to the king. "Yesterday," says he, "I called unto us the two chief justices and Sergeant Crew, about the parliament business. To call more judges I thought not good. It would be little to assistance, much to secrecy. The distribution of the business we made was into four parts." The third matter in the arrangement relates, in the chancellor's language, to "what persons were fit to be of the house, tending to make a sufficient and well composed house of the ablest men of the kingdom, fit to be advised with, *circa ardua regni*, as the style of the writs goeth, according to the pure and true institution of a parliament, and of the means to place such persons without novelty or much observation. For this purpose we made some lists of names of the prime counsellors and principal statesmen and courtiers; of the gravest and wisest lawyers; of the most respected and best tempered knights and gentlemen of the country. And here, *obiter*, we did not forget to consider who were the *boutfeus* of the last session, how many of them are dead, how many reduced, and how many remain, and what were fit to be done concerning them."

This, assuredly, is a pretty good recipe for making a parliament! We need scarcely, after reading this letter, pursue the investigation how it could happen that the king's secretary of state should find a seat in the house, or whether the constituency of Yorkshire were very accurately represented in either their opinions or their prejudices. This parliament met January 30th, 1621; took a recess

from March 27th to April 18th, and adjourned June 4th; met again towards the last of November, and sat about a month, and then was dissolved. The next parliament was summoned on the 19th of February, 1624; was prorogued May 29th of that year, and never met again. The court favor which brought Calvert into the preceding parliament from Yorkshire, failed him on this occasion. Sir John Savile, a leader of the country party, opposed him, and overthrew him by a decided majority, notwithstanding the aid of Wentworth, afterwards the earl of Strafford, and the influence of the king. This is the outbreak of popular opinion to which I have referred above, and which was sufficiently powerful to defeat the wishes of the king. The consequences of this defeat were, first, the return of Calvert to parliament from Oxford, which was found more pliable to the royal will than Yorkshire; and second, the promotion of Sir John Savile to the privy council, the office of comptroller of the household, and finally to the peerage, which took off the edge of Sir John's opposition, and brought him into a temper of very convenient assentation. This is said to be the first example in English history of that species of corruption which has since been found so serviceable to the crown.

From this little history of Calvert's parliamentary career, which altogether did not exceed six months of actual service, there can be no doubt that he was indebted for it exclusively to the influence of the king, and in that view we may find no difficulty in believing that his religious opinions had really no significance whatever in the question of his election. There is, indeed, a letter from Wentworth to Calvert, written during the contest with Sir John Savile, and published in the Strafford papers, which plainly indicates to the secretary the interest which the privy council takes in his success, and the probability of their interference in his behalf. He writes from Yorkshire: "I find

the gentlemen of these parts generally ready to do you service. Sir Thomas Fairfax stirs not, but Sir John Savile, by his instruments, exceeding busy, intimating to the common sort, underhand, that yourself, being not resiant in the county, can not by law be chosen; and being his majesty's secretary and a stranger, one not safe to be trusted by the county. . . . I have heard that when Sir Francis Darcy opposed Sir Thomas Lake in a matter of like nature, the lords of the council writ to Sir Francis to desist. I know my lord chancellor is very sensible of you in this business; a word to him, and such a letter would make an end of all." Oxford, however, was found to be a more sure card, and the secretary obtained the return from that quarter in time to take a seat in the next parliament.

I have now disposed of Fuller's testimony, and of those auxiliary facts to which the reviewer has resorted for confirmation of it. This is the whole evidence in favor of the conversion: I mean all the evidence that is pretended to be original or authentic. The repetitions of Fuller's statement, by subsequent biographers or historians, such as those of Lloyd, Kippis, Collier, Belknap, and others of the succeeding century, can not be regarded as giving it any new character. Lloyd, the author of "The Worthies of State," who published his book a few years after Fuller's work appeared, is a compilation of mere plagiarisms. It copies nearly the whole of Fuller's account verbatim, without acknowledging the theft, and manifestly steals from some other unacknowledged source a few passages of commendation of Calvert, which seem to have been written by some author almost on purpose to show that the secretary was a Catholic during the time he was in office. "Two things," he remarks, "are eminent in this man. First; that, though he was a Catholic, yet kept he himself sincere and disengaged from all interests, and though a man of great judgment, yet not obstinate

in his sentiments; but taking as great pleasure in hearing others' opinions as in delivering his own, which he heard moderated and censured with more patience than applauded. Second, that he carried a digested and exact account of affairs to his master every night, and took to himself the pains to examine the letters which related to any interest that might be any ways considerable. *He was the only statesman that being engaged to a decried party, yet managed his business with that huge respect for all sides, that all who knew him applauded him, and none that had any thing to do with him complained of him.*"

I repeat that I have no knowledge from whom Lloyd borrowed this sketch; but it is very plain that the writer of it did not mean to describe Calvert as a Catholic only after he had abandoned public life. The whole scope of the language is to show that the secretary, although a Catholic, whilst in the management of the public affairs, gave satisfaction to all by his prudence and moderation. I may observe also that Kippis, Collier, and Belknap have incorporated this brief sketch of Calvert into their biographies.

The question of Calvert's religion—I mean whether he were a converted Catholic or an original one, or, if converted, whether at an earlier or later period of his life—has never been one of much significance to the older writers who have had occasion to speak of him. Their attention has been but little given to this point. Bozman is the only one who has really discussed it with any degree of particularity, and his conclusion is in accordance with my Discourse: "It is not probable, therefore, that the principles of the Catholic religion were newly adopted by him in 1624."* All others have either passed it by, or treated it as a matter of small consequence. Hence the incongruity and carelessness of some of the statements, and the obscurity of others. This topic has only become conspicuous in tracts upon

* See vol. i, Hist. of Md. pp. 245—248, where this subject is examined somewhat at large

the life of Lord Baltimore within a few years past. It seems of late to have fired the imagination of some zealous panegyrists as a theme of peculiar capabilities, and he has accordingly been portrayed, with affectionate fervor, in the lineaments of a religious hero; they have invested him with some portion of that saintly grandeur which gives such lustre to the achievements of a champion of the cross. Captivated with this fancy, they have lavished no small amount of exaggeration on the pictures they have drawn of the progress of his conversion, his devotion, his studies, his sacrifices, and his self-immolating heroism.

The foundation for all this warmth of description is simply the short paragraph I have quoted from Fuller. It is not pretended that any writer has communicated more than Fuller, and even of those who copy from him, few have said as much. It has been reserved for our own time to translate his humble prose into ambitious and eloquent poetry, and for grave reviewers to abet this falsification of history even to the extent of quarrelling with all who can not warm their faith up to that red heat which disables the mental vision from discriminating between hyperbole and simple truth. "Buffeted," says an orator of this new school, whose oration is republished with special commendation in the April number of the Catholic Magazine in 1842, "and tossed in the storms of controversy, he (Calvert) found a secure haven in the bosom of the Catholic church. Soon as conviction converted doubt into certainty, he resigned his office, ceasing to be the servant of his king in order to become the servant of his God. He discarded the emoluments of earth for the rewards of heaven, and exchanged the bright hopes of the present for the unfading certainties of the future. He openly avowed his recantation, professed his conversion, and became a genuine worshipper at the shrine of truth."

This idea has been expanded since, on anniversaries and other occasions, in still

more glowing colors, until, at last, it has become one of the reviewer's *unquestionable facts* of history.

In what "storms of controversy" Calvert was tossed—he "who kept himself disengaged from all interests," and took "as great pleasure in hearing others' opinions as in delivering his own,"—we shall vainly seek to learn from any accessible record of the past. How "he discarded the emoluments of earth for the rewards of heaven" might fall under rather a singular illustration in the record which tells us of his forced resignation, his sale of his commission, his Irish patent for the manors of Baltimore and Ulford, his acceptance of the peerage, and the grant to him of what, in his day, was regarded as the *principality* of Maryland. How, "in ceasing to be the servant of his king, he became the servant of his God"—in what respect he was less entitled to the latter character before his resignation than after it—would involve us in an equally inconclusive search.

I can not write the history of Calvert in this key. With such facts as I have before me, how can I gratify the demands of the reviewer with such fancies as he has before him? I wish the truth had given me the advantage of these eloquent themes. If Maryland had been founded by St. Francis Xavier himself, or Calvert could have laid claim to his virtues, I assure the editors of the Catholic Magazine it would have offended no prejudice of mine. I should rejoice to do the subject all the justice its warmest friends could desire. But, I repeat, I can not write the history of Lord Baltimore to this key note. Without meaning any thing disrespectful to those who have done so, I must say that these exaggerations are but the offspring of fancy, the foam of anniversary eulogies, of premeditated and predetermined panegyric. The representation of Calvert as a *religious* hero is a pure fiction; it has not a single authority to sustain it.

I come now to the evidence on my side

of this question; and here I beg leave to recall the issue between the reviewer and myself. I had said: "Upon the question of the supposed conversion of Calvert there seems to be room for great doubt. I do not believe in it at all. I think there is proof extant to show that he had always been attached to the church of Rome, or at least from an early period of his life."

The reviewer, quoting these words from my Discourse, makes this comment upon the author and his mode of treating the subject:

"The process of reasoning by which he endeavors to prove his negative is very remarkable. He has employed more industry in the attempt to subvert *this simple historical fact* (the conversion), than on any portion of his Discourse. Detached scraps of history, questionable dates, the sneers of political and religious opponents, are all marshalled to assist his hypothesis, without allowing to the affirmative of the question the least support from the *clear and indisputable records* of the time."

I have already shown what "this simple historical fact" rests upon, and I have examined what the reviewer calls "the clear and indisputable records." What "the detached scraps of history" are worth, and what are "the questionable dates," will be seen presently.

I argued the inaccuracy of Fuller, first, from the character itself of the statement he had made; and, secondly, from known facts which were incompatible with it. I shall now recapitulate these facts, and add some others to which I had not access when I wrote the Discourse.

1. All the children of Lord Baltimore, of whom we know any thing, were Roman Catholics. We must suppose, therefore, in accordance with the reviewer's theory of the conversion, that these were nurtured and educated in the Protestant faith, and that they all became as suddenly converted as the parent. The reviewer passes by this suggestion in total silence. Cecil, the eldest, was, in 1624, eighteen years of

age. Leonard and George we may suppose to have been old enough to have some fixed opinions upon their own religion; and so of the others still younger. When we reflect upon the bitterness of religious prejudice in that day, and how naturally it would be fostered in the schools; what disabilities, privations, and persecution followed conversion, and what rewards and inducements were offered to those who refused to change their creed, surely this argument had weight enough to entitle it to the reviewer's notice, if he could answer it. We are, however, I suppose, to consider it as disposed of under the class of "vague surmises," "erroneous inferences," and "questionable dates," where I am quite willing to leave it to be weighed by all candid readers of the review.

2. I gave the direct testimony of contemporaneous writers and historians.

Abbot, the archbishop of Canterbury, was a contemporary. His letter to Sir Thomas Roe I have already exhibited. That he was an enemy to Calvert, I have stated; that is apparent in the letter. But still this letter, which was a private communication to a friend, is conclusive—not as to the motives it imputes to Calvert, but to the fact that Calvert was considered, by those who were familiar with his career, as one of doubtful religious opinions, who had previously been known in the character of a Catholic—that he was not then *converted* to that faith. The language of the letter rather imports that he, for the third time, turned Catholic when the prince returned from Spain, which was in October, 1623, and that he *now*—at the date of the letter, and after his resignation—openly professes that religion. It was more than a year after the prince's return that Calvert resigned. This letter was introduced into a note accompanying the Discourse, as a fact which tended to corroborate other testimony. I might with propriety have insisted upon a higher character for it. The language I used on presenting it

was: "My view of Calvert's private adhesion to the church of Rome, at a date so much earlier than is ascribed to him by Fuller, is *greatly strengthened* by the following extract:" The reviewer considers it "a very unlawful way" of turning aside "from the *positive* testimony of Fuller" to substitute "*circumstantial* evidence to prove the negative." Every one will perceive that Abbot's testimony is quite positive, and is that of an eye-witness. Fuller's is, at best, but hearsay; and if the "lawyerlike way" is to guide our investigation, his account would not be received in court at all.

3. I have shown in the Discourse, by extracts from King James' speeches, his strong hatred of those who changed from the Protestant to the Catholic faith, and how different was his feeling towards those Catholics who were not converts. It offended his vanity as a learned divine, which character he affected during his whole reign with abundant pedantry. The extracts I produced were from speeches in 1609 and in 1616. I have since been able to add that further confirmation of this trait in his character, which I have quoted some pages back, upon the testimony of Tillieres, the French ambassador, in 1622, and in reference to a case of close resemblance to that which the reviewer imputes to Calvert. It is merely absurd to attempt to evade this argument by railing at the weakness of James' character. Weak it was, without doubt, and contemptible enough; but those who study his reign will find that his weakness was quite as much demonstrated by the obstinacy of his prejudices as by any other vice of his character. "Theology," says Lingard, "he considered as the first of sciences, on account of its object, and of the highest importance to himself, in quality of head of the church and defender of the faith. . . . To the last he employed himself in theological pursuits; and to revise works of religious institution, to give directions to preachers, and to confute the heresies of foreign divines, were objects

which occupied the attention and divided the cares of the sovereign of three kingdoms." It is not difficult, in view of this character of him, to appreciate the force of Tillieres' remark concerning the change of religion of the countess of Buckingham, that the marquess, her son, knew "that if any thing upon earth could undermine *his* favor, or give it a shock, this very accident is of that description."

4. I have referred to the fact mentioned by Rapin, that Gondomar was said, in 1620, to endeavor to corrupt the court with a view to the Spanish match; and that the historian enumerates Sir George Calvert, with the earl of Arundel, Weston and others, as persons "popishly affected," upon whom, it was charged, that the Spanish ambassador, at that date, attempted to practise. This the reviewer seeks to elude, by telling us that "this term was used by one political party to designate the other party who were endeavoring to bring about the marriage of the prince of Wales to the infanta of Spain," that it was "precisely as the most violent members of one of our two former political parties characterized the democrats as under French influence, and the federalists as British Tories."

I will not stop to dispute this point with the critic. Probably enough the parties often used such phrases in a merely calumnious temper. I have, however, in reference to this case, materials at hand to show exactly what the historian meant when he said Calvert in 1620 was "popishly affected." And even the reviewer's own explanation would show that the secretary, at this time, was acting with the Catholic party. Early in 1624—March or April—the two houses of parliament presented a petition to the king, praying, amongst other things, "that all papists should be removed from London and the court, and discharged from all offices of trust." "The king," says Rapin, "had artfully avoided to answer the two principal articles of the petition. Had he consented to these two requests, the face of

the court would have been entirely changed. The duke of Buckingham's mother, who, by her son's means, disposed of all offices, must have been removed. His duchess, also, would have been of this number, *as well as one of the secretaries of state*, with many others who had considerable places at court and in the country."*

The only secretaries of state were Sir George Calvert and Sir Edward Conway. The latter had been joined with Sir Richard Weston, in 1620, in the embassy to Bohemia, and is described by Rapin, in the notice of that embassy, *as a Protestant*, which I find to be asserted also by other historians. Bozman, who adverts to this same passage in Rapin to show that Calvert was not a convert in 1624, takes notice of the fact that Rapin subsequently speaks of Conway as a Catholic. That this is the effect of inadvertence in the historian of England is evident, not only from its contradiction of his first account of Conway, but also from its being at variance with the statement of Wilson, upon whose authority he wrote. That author says, in his history of the reign of James, in speaking of the negotiation in Bohemia, and of the two ambassadors: "These two were suited for the employment, happily, *upon design*. Weston being a kind of papist, and Conway a Protestant, the better to close up the breach between the emperor (who was a Catholic) and the king of Bohemia" (who was a Protestant).

There can be no doubt, therefore, that Rapin's allusion, in the passage above quoted, is to Calvert. It is worth remarking that at this time Calvert was himself in parliament, a member from Oxford.

That Rapin was correct in his reference to Calvert's religion will appear conclusively in the next evidence I am able to produce.

5. Arthur Wilson is the most authentic contemporary historian we have of the

reign of James—one who is more frequently quoted than any other. He was attached to the family of the earl of Essex, who was a conspicuous actor in the affairs of that reign, and under whose inspection the history of James was written. Although a prejudiced and somewhat inflated writer, Wilson's narrative of facts has been greatly relied on by the principal historians who have had occasion to treat of the same period. His testimony to the religion of Calvert is very positive and direct, as will be seen from the following extracts.

Speaking of the original appointment of Calvert as secretary of state, he says:

"Time and age had also worn out Sir Ralph Winwood, the king's able, faithful, and honest servant and secretary; who dying, Sir Robert Naunton, and Sir George Calvert were made secretaries; men of contrary religions and factions (as they were then styled), Calvert being an Hispaniolized papist; the king matching them together, like contrary elements, to find a medium betwixt them."*

Again, referring to an event of 1621, he uses this language:

"The king, hearing that the house were hammering upon this remonstrance, went to Newmarket, . . . and as the business grew up, he had intimation of it from his creatures in the house, for it vexed his popish secretary, Sir George Calvert, Weston, and others, to find the house so bitter against their profession."†

These extracts leave no doubt as to the meaning of the writer. Before I dismiss the evidence derived from contemporary sources of information, it may be well to mention that Calvert is said by Wood to have written a tract entitled, "The Answer of Thomas Tell Troth." This answer is not, so far as I am aware, now extant; but the pamphlet of Thomas Tell Troth, to which, I infer, Calvert's was an answer, is preserved. It was a severe attack upon the king for the countenance given by him to Catholics, and particularly recom-

* Rapin, vol. ii, p. 230, folio edition.

* Wilson in Kennet. p. 705.

† Ib. 740.

mended to his care and protection the Protestants in France. It was published in 1621. If Calvert wrote the answer to it, such an enterprise would seem to give still further confirmation to the facts I have already adduced to show his religious tendencies. To this surmise, however, I acknowledge that, in the vague state of our information, but little importance is to be attached. I throw it out rather as a question for research than an item of proof.

I am now brought to a second era in my investigation. This leads us into the inquiry—what is the received historical opinion of Calvert's religion amongst historians of later date than his contemporaries?

Connected with this inquiry, I have to notice the following remarkable passage in the review :

“One of the most extraordinary of the attacks on Fuller's veracity is that founded on the *supposed* date of Calvert's charter for Avalon. The zeal with which the orator elaborates his argument upon this topic, requires more time to analyze his quotations and exhibit how utterly fallacious are his conclusions than under any other circumstances would be bestowed on them.”

To say nothing of the bad English and bad grammar of this passage,—and interpreting it to mean, that my zeal in elaborating my argument has *put the reviewer under the necessity of employing* more time to analyze the quotations,—I have to remark that the only thing that may be considered “extraordinary” in the attack on Fuller's veracity “*founded on the supposed date of Calvert's charter for Avalon,*” is that there is no trace of such an attack to be found in the Discourse. The analysis, therefore, of that attack would require a good deal of time as well as of ingenuity. The reviewer has consequently spared neither. His principal difficulty is to *find* the attack: the importance of his finding it I shall notice in the sequel. In his search after this desideratum he favors his readers with the following extract from the

Discourse: “Now Calvert settled his colony in Newfoundland in 1621, and Oldmixon and others, amongst whom I find our own historian, Bozman, have ascribed this settlement to his wish to provide an asylum for persecuted Catholics. Although I can not discover any warrant for this statement, either in the history of the times or in what is known of Calvert, yet the assertion of it by Oldmixon and those who have preceded or followed him, demonstrates that they did not credit the story of the conversion as given by Fuller: for the author of the *Worthies of England* dates the conversion three years later than the settlement of Avalon, and affirms it to be the motive of Calvert's resignation of a high trust which, he informs us, the secretary supposed he could not conscientiously hold as a Catholic.”

In this extract, the reader will remark, there is not a syllable about the “supposed date of the Avalon charter.” Upon this quotation the reviewer makes the following comment: “Now the inference that Oldmixon discredits Fuller is *entirely unauthorized*, as are, also, the deductions from the date of the *settlement*, 1621, as *being the date of the charter*. The orator was not aware that Calvert had made a settlement in Newfoundland *before* he obtained a charter for Avalon, and, therefore, he has himself fallen into the error of confounding the settlement of Capt. Wynne in 1621, *when Sir George Calvert was secretary of state and a Protestant*, with the endeavor to find an asylum for the practice of his religion in 1626, and later, when he had become a Catholic. But while the orator quotes Bozman's authority, he has no right to assume 1621 *as the date of the charter*. Oldmixon does not profess to give the date of the charter. But Bozman furnishes the highest testimony that has been produced to show that the date of the charter of Avalon was 1623.”

The reviewer then affirms that Oldmixon, so far from contradicting Fuller, *confirms his statement*. Then he gives us

a particular account of Sir George Calvert's first connection with Newfoundland, the interest he obtained from Vaughan, his sending Capt. Wynne there in 1621, and his own subsequent removal—all of which he has collected, as I shall have occasion to show presently, from Oldmixon and other writers. And upon the strength of the whole narrative, he winds up with this conclusion: "Having shown the fallacy of the orator's statement that Avalon was *chartered and settled* in 1621, all his arguments founded upon that hypothesis, asserting that Calvert was a Catholic in 1619, and imputing to him oaths which, as such, he could not conscientiously take, must fall. The orator's whole assumption in regard to the date of the Avalon charter and settlement is unauthorized, and the authorities he refers to contradict his statements."

Doubtless the reader of the review, after this pertinacious reiteration—no less than four times made in this extract—believes that I have, some-where in the Discourse, confounded the *settlement* in 1621 with the *date of the charter*; doubtless he will believe, also, that I was not aware "that Calvert had made a settlement in Newfoundland *before* he obtained a charter for Avalon." This is so emphatically and importunately repeated, that it is quite evident the reviewer considers his exposure of "the fallacy" as one of his great points. The positive tone of these assertions in the review will suggest a curious problem as to the writer's state of mind, when the following passage from the Discourse is read:

"The *settlement* in Newfoundland, al-luded to in this extract," (an extract from Fuller, which had just been given,) "was made in 1621, in which year, according to the account of Oldmixon, in his British Empire in America, Sir George Calvert sent Capt. Wynne thither with a small colony. In 1622 Capt. Wynne was reinforced with an additional number of Colonists. The *charter or grant*, however, for this plantation, it is said, upon some

doubtful, or rather obscure testimony, bears date of the twenty-first year of the king, *which would assign it to the year 1623*. After the death of James, which was in the year 1625, Lord Baltimore went twice to Avalon."*

Could language be more explicit to show that I was aware of the settlement in 1621, *before* the date of the charter? Have I fallen into "the fallacy" of stating "that Avalon was *chartered and settled* in 1621?"

In this little feat of mystification the reviewer has attempted to escape my argument. I said that Oldmixon and other writers have asserted that Calvert made the settlement in Newfoundland as a *Roman Catholic*, and that that settlement was begun in 1621. The reviewer replies that Oldmixon and the others say only that he was a Catholic when he went *himself* to Newfoundland, which was after 1625, and that I have confounded the *settlement* with the *date of the charter*, and have misrepresented the historians who, in speaking of Calvert's religion, refer it to the latter period, when he went to Newfoundland, and not to the former, when he sent Capt. Wynne there. The reviewer, indeed, asserts in round terms that, at the date of Capt. Wynne's settlement in 1621, Calvert *was a Protestant*; and as he makes this assertion in connection with his reference to Oldmixon, he means to have it understood that that writer sustains this view. His words are: "Oldmixon does not contradict Fuller, but, *in fact, confirms his statement*."

This brings us to a very direct issue of fact. Does Oldmixon confirm Fuller? Does he not confirm my statement of Calvert's religion? I shall show now, not only that I fairly stated the fact from Oldmixon, but also that the reviewer, having Oldmixon and other writers before him, could not have perused them without finding the most complete evidence of the correctness of my statement. I can scarcely conceive that any supposed de-

* Discourse, p. 18.

gree of carelessness in the reviewer can exculpate his candor in failing to exhibit the testimony of these authorities, and to confess their weight in this question. He has referred, in the course of his review, to several authors; he has manifestly read them—carefully, we should think—in reference to the very subject upon which we are at issue. These works are Oldmixon's *British Empire in America*, the *Modern Universal History*, Wynne's *History of America*, Douglass' *Summary*, and Bozman's *Maryland*. I believe these are all he has quoted in the review, which speak of the settlement of Newfoundland.

I have all these works now at hand, and it is my purpose to extract from them a few particulars in regard to this settlement, which I commend to the reviewer's notice. They will be found to throw a sharp light upon "the simple historical fact" that "has been unquestioned for two centuries."

1. The oldest of these works is Oldmixon's. It was published in 1708. He gives us this account, vol. i, p. 4:

"Dr. William Vaughan of Caermathenshire purchased a grant from the patentees for part of the country (Newfoundland) to make a settlement, which, however, he never effected. In 1616, Capt. Whitburn was taken in his way from Newfoundland to Lisbon, with a cargo of fish, and, in the year 1618, he went thither as Dr. Vaughan's deputy; though whom he was to govern we don't find mentioned any where by himself or other writers, or that there was any settlement of English till two or three years after," (bringing it to 1620-21,) "when Sir George Calvert, principal secretary of state to King James, got a grant of the best part of the island. This gentleman, *being of the Romish religion*, was uneasy at home, and had the same reason to leave the kingdom as those gentlemen had who went to New England, to enjoy the liberty of his conscience: *he, therefore, resolved to retire to America*, and finding the Newfoundland company made no use

of their grant, *he thought of this place for his retreat*; to which end he procured a patent for that part of the island that lies between the Bay of Bulls in the east, and Cape St. Mary in the south, which was erected into a province and called Avalon. . . . Sir George, afterwards Lord Baltimore, sent over persons to plant *and prepare things for his reception*; and, in 1621, Capt. Wynne went thither with a small colony, at Sir George's charge, who seated himself at Ferryland."

Here we have in this narrative Sir George Calvert, secretary of state, a Roman Catholic, uneasy at home, resolving to retire to America, and *thinking of Newfoundland* as a place of retreat; his attention directed to this spot because the Newfoundland company made no use of their grant. Of course all this is previous to his making any settlement. Then he is described as getting a patent for a plantation there. We are then told that Sir George, who was afterwards Lord Baltimore, sent Capt. Wynne over, in 1621, to prepare things for his reception. In vol. iv of *Purchas' Pilgrims*, p. 1882-1891, we have Whitburn's account of this settlement in 1621, and a reference to some of Capt. Wynne's letters to Sir George, the first of which is dated in that year.

Now I ask, does not this narrative most distinctly affirm that Sir George Calvert was a Roman Catholic before he sent Capt. Wynne to Newfoundland? Does this fact confirm, or does it contradict Fuller?

2. Douglass is the next writer in point of date, having published his first edition of the *Summary* in 1739. His notice of Calvert is too brief, confused, and desultory to be quoted. It merely speaks of him as a Roman Catholic, without the slightest insinuation that he was ever any thing else.

3. The *Modern Universal History*, published in 1763, gives us the following narrative: vol. xxxix, p. 249.

"Next year Dr. Vaughan purchased a grant from the patentees of part of the

country included in their patent; settled a little colony at Cambriol, in the southernmost part of the island, now called Little Britain, appointed Whitburn governor, but made no progress in extending colonies and clearing plantations. About the same time *Sir George Calvert, a Roman Catholic*, petitioned the king for a part of the island lying between the Bay of Bulls to the eastward and Cape St. Mary to the southward, in order that he might enjoy that freedom of conscience in this retreat which was denied him in his own country.

..... Before his departure from England, Sir George sent Capt. Edw'd Wynne with a small colony, to Newfoundland, to prepare every thing necessary for his reception. The following year he was reinforced with a number of men, and supplied with stores and implements by Capt. Powel, and soon after he writes to his superior, Sir George Calvert, in the following terms"—(here is an extract given from a letter dated Aug. 17, 1622, as the same is found in Purchas.) "A salt work was erected by Mr. Wynne, and brought to great perfection by Mr. Hickson, and so delighted was the proprietor, now Lord Baltimore, with the flourishing state of the colony, that he removed thither with his family."

In this rapid sketch of the settlement, we have, as before, Sir George Calvert a *Roman Catholic*, who petitions the king, which, of course, is previous to his settlement; sends Capt. Wynne thither to prepare for his reception; is afterwards created Lord Baltimore, and goes to the settlement himself.

4. Next we have Wynne's British Empire in America, published in 1776, and there we read as follows, vol. i, p. 44.

"The next year a little colony was founded at Cambriol, on the southern part of Newfoundland, of which the same Whitburn was appointed governor. Sir George Calvert, (in this edition it is misprinted Sir George Vuughan,) a *Roman Catholic*, also obtained the grant of that part of the coast lying between St. Mary's

to the southward and the Bay of Bulls to the eastward, and the Puritans resorted thither. Capt. Edward Wynne arrived before Sir George, with a small colony at Newfoundland, to prepare every thing necessary for him. Lord Faulkland, lieutenant of Ireland, also sent a colony to Newfoundland; but at this time the proprietor, who was made Lord Baltimore, returned to England, where he got a grant of Maryland."

5. The last of the authorities to which we are referred is Bozman, who has written with more research, more particularity, and, in general, with more accuracy than any other historian of what relates to Maryland. In his first volume of the History of Maryland, p. 232, in noticing the events of 1621, he thus introduces Sir George Calvert:

"It was in this situation of things that Sir George Calvert, who was now one of the principal secretaries of state, and of the *Roman Catholic religion*, influenced probably by the recent example of the emigration of the Puritans to New England," (alluding to the notable emigration of 1620,) "*contemplated a settlement of Catholics in Newfoundland.*"

This Roman Catholic gentleman, a secretary of state, influenced probably by the recent example of the Puritans, *contemplated* a settlement in Newfoundland. Of course, all this was before any grant was obtained, or colony sent out. A few pages afterwards—p. 241—Bozman continues his narration:

"Previous, however, to his own embarkation for the country granted to him, he thought it most proper to send a small colony thither under the command of a Capt. Edward Wynne, who seated himself and colonists at a place called Ferryland."

Bozman has fallen into some uncertainty in regard to the date of Wynne's first voyage, by supposing that it may have been in the year of the date of the charter, 1623. The reviewer seizes upon this doubt of Bozman's, imputes to me

"the fallacy" of confounding the *settlement* by Wynne, and the date of the charter, and leaves us to infer that, at the date of the charter, Calvert was already a convert; that, in fact, the date of the charter was coincident with that of Fuller's story of the conversion. If Bozman had seen Wynne's letter from Newfoundland to Sir George, of the date of 1621, he could have had no difficulty on the subject. But even ascribing the settlement to 1623 furnishes no help to the reviewer, because Calvert served a year after that date as secretary of state, and was a member of parliament from Oxford in 1624, during which period, the reviewer affirms, he could not have been a Catholic. So that even if he had not sent Wynne out with the colony until 1623, when he obtained the charter of Avalon, being then a Roman Catholic, and having a purpose to make an asylum for persecuted Catholics, that fact alone would show that Fuller's story of the conversion in 1624 is incorrect. The testimony all concurs to indicate that he was a Catholic whilst he held the post of secretary of state and served as a member of parliament, and, consequently, that he did not resign on account of his conversion.

Could the reviewer be ignorant that Calvert was represented in these works as a *Roman Catholic*, when he made the settlement of Newfoundland? Was the reviewer ignorant that that settlement was made as early as 1621? And is not this my whole argument drawn from that incident in the history of Calvert? Is there any extraordinary zeal in the elaboration of this argument manifested in the Discourse? Is it not a simple historical fact, perspicuously set forth, and sustained by the best authorities to which I had access? Has the reviewer found the slightest expression, in a single historian, to contradict the fact that Calvert was a Roman Catholic when he sent Capt. Wynne to Newfoundland? Yet I am charged with taking "an advantage unworthy of my

candor," when, in the presence of a large public auditory, I ventured to give the same account of Calvert's religion which I find in all the books I have consulted; and my enterprise is calumniated by the imputation of using that "opportunity to mystify our history, and to put forward my own conceits in opposition to all historians who have treated of the subject." I have no recriminations to make, but I would suggest a simple admonition to the reviewer, against allowing the rashness of his zeal, or the acerbity of his temper, to commit him again to the indiscretion of such an attack.

I have now concluded all I desire to say in reply to the principal point of the Discourse controverted in the review. The fact we have been discussing, every one will perceive, is one of predominant consideration in the true historical estimate of Calvert's character. I make no deductions, but leave it to every reader to form his own conclusions of the merit of the character which the whole survey of Calvert's life presents. I have very freely given my own opinion in my Discourse.

I have yet to notice a few minor points in the reviewer's assault upon me; and as I have already occupied more space in this reply than I proposed to myself, I will endeavor to be very brief with what remains. Indeed I should not deem these minor questions of sufficient importance for remark, were it not that where so much has been misunderstood, I have some reason to apprehend that my silence might furnish occasion for as much vituperation as, unluckily, has befallen me for what I have uttered.

The reviewer first assails the Discourse for the position assumed in it—that the settlement of Maryland "did not owe its conception either to religious persecution or to that desire, which is supposed to have influenced other colonies, to form a society *dedicated to the promotion of a particular worship*." This is said to be "a negative and novel proposition" which is sought be established by "vague surmises

and erroneous inferences, prejudicial to the character of Lord Baltimore and subversive of facts not only never disputed but adduced by most credible historians to sustain his high character."

Now all historians who have ever spoken of the settlement, I believe without a single exception, say that Lord Baltimore, being disappointed in his establishment in Newfoundland by reason of the rigor of the climate, the barrenness of the soil, and the exposure to attack, was, *therefore*, induced to look for a more favorable locality: that, with this object, he went to Virginia, and afterwards to Maryland. If this be true, how can it be said that the *conception* of the settlement in Maryland is to be attributed to religious persecution?

Nor was it to form a society dedicated to a particular worship. If there be any historian, credible or incredible, who affirms that it was, the reviewer ought to have favored us with his name. We have quotations in the review to show that Calvert went first to Virginia to settle: this fact is, indeed, not disputed by any one. Why did he go to Virginia if his object was to make a settlement dedicated to the promotion of a particular worship? Did not Lord Baltimore know that Virginia, at that day, would not tolerate such a settlement?

I do not deny that he contemplated, with satisfaction, the idea that, in Maryland, the persecuted Catholics would find an asylum. My denial is that that was not his *special* object in founding the colony. I believe that he contemplated an asylum for the persecuted of all Christian sects: that his purpose was, in the beginning, to make a liberal, tolerant government, without the slightest reference to sects; that the foundation of the province upon a particular religion was not in his view. I have said, notwithstanding all the authority upon the subject, I did not concur in believing that the settlement in Newfoundland, or in Maryland, was made with reference to a particular religious community. My argument was and is, that

neither the charter, nor any thing that was done under it, indicates any such purpose. Calvert's invitation to emigrants, the earliest announcement of his plans, as they have been transmitted to us, show, in the most unequivocal terms, that his wish was to encourage emigration without reference to religious opinion. If there is extant a word from him or his successors which would imply that his design was to make a Catholic colony, I have not met with it. Yet, undoubtedly, if he had chosen, he had the power to confine his grants of land to Catholic settlers. It is in allusion to this that I took occasion to express, in *Rob of the Bowl*, that commendation of Lord Baltimore's liberality which the reviewer, with some notion that it contradicts what I have said in the Discourse, has quoted from vol. i, p. 52, of that work. I repeat now what I wrote then, in 1838, that Lord Baltimore "erected his government upon a basis of perfect religious freedom," and that "he did this at a time when he might have incorporated his own faith with the political character of the colony, and maintained it by a course of legislation which would, perhaps, even up to the present day, have rendered Maryland the chosen abode of those who now acknowledge the founder's creed." A very little circumspection in his conditions of plantation would, without the slightest violation of his charter, have filled the province chiefly with Catholics, and perhaps have secured their preponderance in the control of its affairs. He chose the more liberal and generous but, we have reason to believe, the more disastrous policy.

In this representation of Calvert I did not suppose I was derogating from his fame, but, on the contrary, placing it upon the highest level with those statesmen who have won the praise due to the benefactors of mankind.

I have said also in another part of the Discourse that "the glory of Maryland toleration is in the charter, not in the act of 1649." This expression draws down

upon me no small amount of the reviewer's displeasure. I can not follow him through all the mazes of his misapprehension and consequent misrepresentation of my argument. It is very clear that he entirely mistakes the meaning of my remark. The fault may be mine in not speaking with sufficient perspicuity, although I supposed I had made myself intelligible when I said: "It was to the rare and happy coincidence of a wise, moderate, and energetic Catholic statesman, asking and receiving a charter from a Protestant monarch, jealous of the faith, but full of honorable confidence in the integrity of his servant, that we owe this luminous and beautiful exception of Maryland to the spirit of the colonization of the seventeenth century." I think a reader of the Discourse would not be at a loss to say that I had ascribed the toleration of Maryland to the *circumstances* connected with the grant of the charter, rather than to any specific provision in it. That the toleration was in the charter because it was a grant from a Protestant prince to a wise Catholic statesman. I argued to show that it was from this antagonism the liberal principle manifested in the establishment of the province was evolved. That a Catholic gentleman undertaking to administer a charter granted by a Protestant king, the result only could be religious toleration. The charter guaranteed protection to the English church; it, therefore, bound a Catholic administrator of it to the greater circumspection as regards religious opinions. It gave him, amongst other things, the *exclusive* right to authorize the licensing and consecrating of chapels of the church of England. It gave him the whole patronage and right of presentation to benefices of that church. How was it possible that such grants as these could be followed up by religious intolerance on the part of the grantee? He was compelled by the charter to respect the rights of members of the Church of England: he could not, then, but respect the rights of all other Christians. That was

my argument, and that was what I meant when I said "Maryland was the land of the sanctuary," that "all Christians were invited within its borders, and that there they found a written covenant of security against all encroachments on their rights of conscience by the lord proprietary and his government." This was the charter as framed by Lord Baltimore himself. Of what avail is it, in the argument of the reviewer, to reply that there was nothing in the laws of England, until the reign of Queen Anne, to prevent a Catholic from holding an advowson. The point of my argument was that Charles granted these privileges and powers to Calvert, and that that showed his confidence in the proprietary's moderation, liberality and toleration. I argued further that such grants as these from a Protestant prince to a Catholic proprietary raised a strong obligation of honor on the proprietary's side that he would not abuse that power by intolerance. Reverse the case, and what would the reviewer say if a Catholic monarch had given to a Protestant proprietary the exclusive right to license Catholic chapels, and the sole right to present to all benefices in the Catholic church? Would he not regard it as a proof of great confidence in the integrity, the impartiality, and in the liberality of the grantee? This is the sum of the argument in support of that toleration which I have deduced from the charter and its history.

I have one word more as to the political character of the charter. It contemplated a government in Maryland with a hereditary executive. It authorized the creation of an order of nobility. It empowered the proprietary to summon members to the legislature *by special writ*, without submitting the person so summoned to an election by the people; and, notwithstanding the reviewer's denial of this, nothing is more notorious in our history than the fact that members *were* so summoned. The cases may be seen, and the form of the writ may be read in Bozman.*

* Vol. ii, pp. 100, 101.

It gave to the proprietary an absolute negative on all laws: it clothed him with power to make special ordinances without the sanction of the assembly: and the proprietary, also, as we are informed in the tract entitled "Virginia and Maryland," printed in London in 1655, exercised the power of dispensing with the laws. Upon a view of these and other features of the charter adverted to in the Discourse, I said: "We may affirm of it that, however beneficial it might be under the ministration of a liberal and wise proprietary, it contains many features which but little coincide with our notions of free or safe government." For the expression of such an opinion I am charged by the reviewer with detracting from Lord Baltimore's fame, and representing him as "a selfish and despotic statesman." Well; I have no mind to make points with him on this question. It is a matter of opinion. I have myself a strong repugnance to the doctrines of the high prerogative school. I have been educated to believe that in the popular privilege, as understood in English history, are to be found the true principles of free government. I do not blame any man for differing from me. It may be the result of education, temper, complexion of mind; and I freely accord to the reviewer the utmost sincerity in his partiality for the prerogative side. I have shown that Calvert, invested with all this power, had no disposition to abuse it; I still repeat, however, that such powers do not accord with the more generally received notions of the present time as to what constitutes free and safe government.

I forbear saying any thing, at present, on the subject of the act of 1649. That I propose to examine on some other occasion, when, I think, I shall be able to show that it was a constrained act, contrived as a measure to protect the lord proprietary and his friends at a very critical period; that it was the act of a Protestant legislature, with a Protestant governor at their head; and that it did not establish toleration in Maryland. I think

I shall be able to show that the act itself, in many respects, is exceedingly intolerant, and is of such a character as the present day would not endure upon the statute book. But I will not bring it into this discussion.

I find that I have unwittingly fallen under censure for speaking in the Discourse of the "Romish" church. The reviewer does me no more than justice in supposing I would not use this phrase where it might be construed into disrespect. I was not aware that it had such an import. It is in constant use by the most liberal and impartial Protestant writers, and I have met it even in the works of Catholics. It is sufficient for me to say that I am too Catholic in all my feelings to apply a term of derision or reproach to any Christian sect; and I am sure I have afforded more than one proof to the Roman Catholics of Maryland, that, although differing from them in my faith, I cherish for them, and their connection with our history, all the respect due not only to their most sacred rights of conscience, but also to their noble efforts in times past, to secure to all others the same invaluable privileges. The term I have used, the reviewer remarks, is "quite innocent in itself," and, as he certainly had no reason to believe it was used otherwise than innocently by me, it was scarcely worthy, it strikes me, of so grave a comment as he has made upon it.

I have now fulfilled my design of answering the principal objections raised against my Discourse by the review.

In concluding, I take occasion to say that the critic has somewhat misapprehended the moral of my story—for it is mine—of the Student of Gottingen. If he will examine it again he will find that the scholar was damned, not for writing in opposition "to the unquestioned history of two centuries," but for writing truths that were unwelcome to his readers. He will discover that the devil had the wit to see that he could set the world against the poor student who should be so bold as to

write upon topics that did not flatter their self-love. I have no fear that this will be my case, for I can not doubt that the reviewer himself will be pleased to be rescued from a path of error even by my aid. If he shall persist, however, to walk in darkness, I hope he will show some sympathy for the hardship of the dilemma of one who, like myself, is placed between

Baltimore, May 15th, 1846.

the hazards of offending men by the truth and his own conscience by mistating it. In this I share the misfortune bewailed by the Venerable Bede: "Dura est enim, conditio historiographorum; quia, si veridicant, homines provocant; si falsa scripturis commendant, Dominus, qui veradicos ab adulatoriis sequestrat, non acceptat."

J. P. KENNEDY.



